

League for the Hard of Hearing
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LEAGUE
HEARING

Noise Center

September 21, 2000

Federal Aviation Administration
Office of Chief Counsel
Attn: Rules Docket No. 30086
800 Independence Avenue, SW. Room 915H
Washington, DC 20591

Re: Rules Docket No. 30086

44

OFFICE OF THE
CHIEF COUNSEL
FEDERAL AVIATION
ADMINISTRATION
SEP 29 PM 1:16

To: The Federal Aviation Administration

This is in response to the Congressionally mandated FAA "Study of Nonmilitary Helicopter Noise in Densely Populated Areas." Noise is a serious environmental and health hazard which affects millions of Americans.

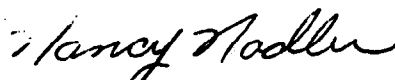
There are 28 million people in the United States with hearing loss and exposure to loud noise is one of the leading causes. Health statistics show an alarming trend suggesting that the incidence of loss is occurring at younger and younger ages. Noise also negatively impacts on health, learning, social behavior and quality of life. Studies have correlated noise with physiological changes in sleep, blood pressure and digestion as well as to deficits in children's learning and language development.

In a recent community noise survey conducted by the League for the Hard of Hearing, helicopter noise was one of the leading complaints and interfered with the ability to sleep, hold a conversation, work and study. It is imperative that any study on the impacts of helicopter noise surveys people living near heliports or under helicopter flight paths about their lives and health, as well as includes a thorough literature review regarding the impacts of helicopter noise on people.

Public input and participation in workshops is strongly encouraged to reach the widest audience possible. We urge you to hold meetings throughout the country at times and locations convenient to community groups.

If you have any questions, please do not hesitate to contact me at (917) 305-7808.

Sincerely,



Nancy B. Nadler, M.E.D., M.A.
Director, Noise Center

September 20, 2000

OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET

2000 SEP 29 P 4:47

Federal Aviation Administration
Office of Chief Counsel
Attn: Rules Docket
Docket No. 30086
800 Independence Avenue SW
Room 915H
Washington, DC 20591



To Whom It May Concern:

I live in Hoboken, New Jersey, a small municipality on the Hudson River, across the river from the island of Manhattan, New York. Helicopter flights over Hoboken and the Hudson River have been occurring with increasing frequency and regularity, destroying the peace and quiet of the city and the growing green belt of parks and public open space at the river's edge.

Regular helicopter traffic includes sightseeing flights, commuter flights linking area airports and gambling junkets to Atlantic City casinos. Unscheduled physical incursions into Hoboken's air space happens almost daily, as traffic and news helicopters, more than one at a time, hover overhead for what seem to be interminable periods at all hours of day and night. Unscheduled flights over the Hudson River also have a detrimental impact on Hobokenites. Two weekends ago, loud speedboat races took place on the Hudson River. Following the boats were many loud helicopters skimming the air above the boats. The combined noise from both the boats and helicopters that afternoon was astonishingly deafening.

I feel it is imperative for your organization to start limiting helicopter flights over Hoboken and the Hudson River and to commence limiting the amount of noise helicopters can emit. As communities along the Hudson River start reclaiming the shoreline for public recreation, sometimes with public funding, the usefulness of these parks for the enjoyment of the public is negated by the noisy intrusion of helicopter flights benefiting very few people. Also, everyone's life is upended by helicopters interrupting their sleep at night and interfering with their activities during the day.

Sincerely,

A handwritten signature of Annette E. Illing.

Annette E. Illing
1 Marineview Plaza - Apartment 23A
Hoboken, New Jersey 07030

Jonathan M. Weld
18 Remsen Street
Brooklyn, NY 11201

September 24, 2000

Federal Aviation Administration
Office of Chief Counsel
Attention: Rules Docket
Docket No. 30086
800 Independence Avenue, S.W.
Room 915H
Washington, D.C. 20591

46

OFFICE OF THE
CHIEF COUNSEL
FEDERAL AVIATION
ADMINISTRATION
2000 SEP 29 PM 4:28

Dear Sirs:

I am writing in connection with your study of helicopter operations in densely populated areas.

The situation in Brooklyn - particularly Downtown Brooklyn and Brooklyn Heights, where I live - has become increasingly aggravating and dangerous. The amount of traffic, which I believe is largely business and non-emergency governmental, has soared in the last few years. From 6:00 a.m. through the rest of the morning there are numerous flights into the Wall Street heliport. Many of these fly right over Brooklyn, and some hover there.

I think there should be strict time limits - i.e., no flights before, say, 8:00 a.m.

I think there should be strict volume limits - i.e., the number of flights should be substantially reduced from the present number.

And I think there should be flight path restrictions, which are enforced. For example, with the whole of New York Harbor to fly over, why should the helicopters cross the residential Brooklyn neighborhoods at all?

There is undoubted convenience to using the Wall Street heliport, but the dangers this poses to Brooklyn neighborhoods and the substantial cost in excessive noise justify stringent restrictions.

Thank you for your attention and I look forward to the results of your study.

Sincerely,

Jonathan M. Weld

cc: Congressman Edolphus Towns

The Federation of University Neighborhoods

411 Maple Street NE.
Albuquerque, New Mexico 87106
(505) 843-6154

2000 SEP 29 P 4: 29
OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET

September 22, 2000

47

Federal Aviation Administration
Office of Chief Counsel
Attention: Rules Docket, Docket No. 30086
800 Independence Avenue, SW, Room 915H
Washington, DC 20591

Reference: Public comment on nonmilitary helicopter noise.

Dear Sir or Madam:

The urgent need to reassess regulations governing helicopters was demonstrated loudly and suddenly to residents of more than twenty neighborhoods in Albuquerque, New Mexico before 5 a.m. on June 30, 2000. This was the official start of construction on "the Big I" and what has been described as the largest road rebuilding project now underway in the United States. The Big I is the intersection of Interstate 40 and Interstate 25 and is roughly in the middle of the city.

Neighborhood residents might not have been looking forward to two or more years of disruption from road construction, but no one was prepared for onslaught of noise from the sky. Helicopters from local TV stations, affiliates of three major networks, were circling the Big I area from very early morning until well after the airing of the 10 o'clock news. The noise was shocking, but no less so was the sense that our homes and lives had been invaded.

A persistent campaign of phone calls and e-mails convinced two of the TV stations to limit the use of their news helicopters. The instillation of numerous stationary cameras and availability of many ground sites has made helicopter flights over our homes unnecessary. Unfortunately, one TV station is convinced it can improve its ratings by "live aerial coverage" and is still making multiple flights a day over our neighborhoods. Letters and phone calls from the Mayor, City Councilors and citizens have been ignored. The information learned from the Flight Standards District Office that "they have a legal right to be there" is, apparently, the only standard of behavior required for helicopters. We can rely on only the goodwill of the individual businesses to keep their helicopters away from our homes, and goodwill just isn't enough when it comes to a fight over TV ratings.

Having a news helicopter overhead can be compared to having a stranger riding a motorcycle around in your backyard for hours on end. Except the stranger on the motorcycle probably doesn't have a video camera, and there are trespassing laws that would either keep him out or allow the police to take him out of your yard. This is not the case with news helicopters or other private helicopters. "They have a legal right to be there."

There is little citizens can do on a local level to protect themselves from this invasion of peace and quiet and privacy. Cities cannot enforce laws setting noise limits, cannot control flight paths to eliminate helicopter flights over urban areas, and cannot limit the altitude at which helicopters must fly. It is unclear whether or not curfews can be enforced or municipalities can ban all helicopter operations. There are no emissions standards for helicopters. There are no limits to how long a helicopter can hover over your home. There are currently no Federal, State or City noise regulations that limit helicopter noise impacts.

The sight of a news helicopter buzzing "news" scenes has become more and more common in and around urban areas. The current altitude minimum of 500 feet for helicopters is ludicrous and unreasonable given the fact that at that altitude noise at ground level from even small helicopters can easily exceed 80 decibels and noise from large ones can exceed 100 decibels.

If a home is on a busy street, there are a number of ways to buffer traffic noise. Walls, fences, shrubs, trees and even heavy window drapery can alleviate at least part of the intrusive noise. In the most extreme circumstance, it may be possible to find housing on a quieter street. **Noise from above cannot be mitigated by individuals.** It is not possible to build a noise wall over a home. Even closing windows and doors cannot block the concussive noise that helicopters make. No one can move to a location and be confident that helicopters will not be overhead, because, except for regulated airspace, their flight paths are not restricted. They are not currently required to follow routes away from cities or over industrial areas of cities, nor are they required to fly at altitudes high enough to afford some amount of noise mitigation. Individual privacy is no longer safeguarded, since, as the law now exists, "they have a legal right to be there."

Because of their maneuverability and ability to hover, they can be landed in residential areas and flown over difficult terrain. They truly are "spies in the sky" and, for that reason, are useful tools for the military and for law enforcement agencies. In addition, they are frequently used to transport critically ill patients short distances. These "public safety" uses of helicopters become more intrusive and annoying as they become more common. There is still, however, a feeling in the community that emergency helicopters are performing a community service. Nevertheless, that feeling is being eroded by evidence that often the use of emergency helicopters is excessive or unwarranted.

News helicopters are expensive toys that do not fit into the same categories as other types of aircraft. While medical emergency helicopters may be part of the "air transportation system," it is doubtful that news helicopters should be included in the same designation. Clearly, they are not "transporting" private citizens or the public, but rather invading airways with the purpose of making money by making news. News departments may argue long and loudly that they are providing a public service, but their real intent is to improve ratings. As one Big I neighbor said, "Maybe Los Alamos was better off than we are. At least the neighborhoods had been evacuated when the news helicopters were covering the fire!"

Minimal standards for helicopters may have been good enough nearly 30 years ago when there were few privately owned helicopters. The escalation of helicopter uses in combination with our increasingly urban society makes improved regulation essential. The noise factor alone makes helicopters an aggravation, and the ability to be a spy in the sky makes non-emergency helicopters unacceptable intrusions into people's lives.

We ask that helicopter standards be revised to include noise abatement requirements, emissions standards, flight and hovering restrictions over residential areas and a minimum of 2000 feet above ground altitude for flight.

These comments are submitted in response to the request for comments by the Federal Aviation Administration [Docket No. 30086], Report to Congress on Effects of Nonmilitary Helicopter Noise on Individuals in Densely Populated Areas in the Continental United States.

Sincerely,



Mardon Gardella, President
The Federation of University Neighborhoods

Statement from: Scott Opis
55 Pineapple St., Apt. #7E, Brooklyn, NY 11201

September 21, 2000

Federal Aviation Administration
Office of the Chief Counsel
Attn: Rules Docket: Docket No. 30086
800 Independence Ave SW - room 915H
Washington DC 20591

418

OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET
2000 SEP 27 A 11:06

In regard to:

The effects of nonmilitary helicopter noise on individuals in densely populated urban areas.

I live in Brooklyn Heights, a neighborhood that borders the East River in New York City. My apartment also faces this river but is three blocks from the waterfront. During fully half the year, when my double-glazed windows are open, I am assaulted by helicopter noise from early daylight until sometimes as late as 1 AM. This noise is very loud and usually causes me stop whatever I am doing until the helicopter has moved on. Since the sound carries for distances of a mile or so, this is often more than just 5 or 10 seconds. If I am watching TV I need to raise the volume. If I am reading I may stop. If I am speaking on the phone, I can no longer hear myself or who I am talking to. Most disturbing however, is the hovering traffic-reporting helicopters which often awake me as early as 6 AM or the late night helicopter traffic that keeps me awake while I am trying to go to sleep.

My home life is disturbed by so much noise as a result of three factors. 1. In New York City, the rivers are used as flyways for helicopters; 2. There is a heliport on the opposite side of the river from my apartment (South Street), and; 3. The traffic reporting helicopters from all the major TV networks (a ridiculous 5 in New York City) often hover over the Brooklyn Queens Expressway and the Brooklyn Bridge (which are jammed nearly every day) to show it and the traffic on it on TV live.

It is important to emphasize the jarring nature of this noise, how loud it is especially on high humidity days, and how it severely lowers my at-home quality of life. The noise is like a pulsing machine right in your ear as the helicopter passes by. And then there is another one and then another one. Last summer a helicopter was hovering over the heliport for nearly 15-20 minutes about 6:15 AM on a Saturday morning. It was a very humid New York morning and I was so startled from my sleep by the noise that even after the noise stopped, I could not return to sleep. Yes, the heliport is on the other side of the river but the noise was so loud due to the humidity that it sounded like the helicopter was hovering on my fire escape right outside my window.

Until perhaps 5 to 7 years ago my home was very quiet. I experience little street traffic noise because I am in the back of the building and on a high floor. But the increase in helicopter traffic has been huge over this period and continues unabated. Something must be done to curtail this noise. The TV stations, tourists and rich corporate officers have no right to disturb so many people merely for their convenience. It is appalling that this noise is acceptable in a city that is already so noisy from car, truck and highway noise and is so densely populated that our homes are one of the few places to find peace and quiet.

Please limit helicopter traffic over densely populated areas to emergency (police/fire/medical) vehicles only. Thank you.

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As you can probably expect, noise in Manhattan, New York City, where I live is a problem. I am located in lower Manhattan, near the Brooklyn Bridge/South Street Seaport area. Helicopter noise, because of its nature--it seems to spread out and echo--is particularly intrusive, disturbing normal conversation, meals sleep, work, etc.

On a typical day at the Seaport helicopters, bound to or from the downtown heliport seem to pass overhead every three to five minutes. They are readily heard inside the Seaport buildings. On a recent visit across town (to Battery Park City), I was sitting outside by the Hudson River reading. Approximately every two minutes a helicopter flew either up or down the river. (They had the markings of tour helicopters).

The Mayor and Governor have banned tour operators from city controlled heliports, but downtown heliport is federally regulated so the flights continue unabated.

At various times my life has been significantly disturbed by news crews helicopters--stacked one above the other, tour operators, corporate helicopters, police helicopters--being used simply to survey a public event, and by moviemaking crews doing an aerial shoot. Regardless of the function being performed the noise level is still disruptive.

I believe all flights over an area as densely populated as the City of New York should be banned. Past performance of helicopters indicates a malfunction results in the aircraft dropping straight down on whatever is below it. There is also the danger of terrorists commandeering a helicopter to make whatever "statement" they feel relevant. the World Trade Center Explosion several years ago points up our vulnerability to this type of attack.

Presently I understand that there are no restrictions whatsoever on where or how high helicopters can fly--they can and do hover for extended periods of time at low altitudes disturbing thousands of people. Please take action to stop this horrible assault on our sensibilities and health. Please adopt the recommendations of the National Resources Defense Council report on helicopter noise impacts (Needless Noise: The Negative Impacts of Helicopter traffic in the New York City and Tristate Region", December 1999).

John Ost
333 Pearl St.
New York, New York 10038

2000 SEP 27 A 11:10
OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET

Claude Holland

265 Riverside Drive
New York, NY 10025-5205
Email Claudehol9@AOL.com

September 17, 2000

The Federal Aviation Administration
Office of Chief Counsel
attn: Rules Docket
Docket No. 30086
800 Independence Ave. SW, Room 915H
Washington, DC, 20591

50

OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET
2000 SEP 27 A 11:11

Dear Sir,

In view of your study on *helicopter noise community impacts*, I want to share with you the growing concern and anger that my neighbors and I are experiencing over the unbelievable number of helicopters crisscrossing up and down the Hudson River, to and from New Jersey and Long Island and around Manhattan (over 150,000 last year). How can they be allowed to fly at will, from 6 a.m. or earlier, till past 11 p.m in such a densely populated place as Manhattan? .

Walking along Riverside Park, a neighborhood which is dotted with many children's playgrounds, it is not unusual to have as many as 7 helicopters or airplanes passing over our head, during the few minutes of a short walk. The real monsters are the helicopters, due to the unique character of their noise emission. Some corporate copters charge over our homes at a shockingly low altitude, rattling our windows, invading our private space as no other noise can. The tour copters, one after another, come up the Hudson and then turn to go back down the river with the most nerveshattering noise. The noise carries far over water, and a single helicopter can be heard for more than a twenty blocks radius. Because of air and maritime traffic, the Hudson river has become what the experts call "suicide alley". It is time to address the problem.

Tourists' helicopters, I am told, account for over 50% of all flights, and 95% of the tourists are from overseas. Don't we, New York residents, whose life is already stressed beyond belief deserve a little consideration? It is incredible that for the few dollars the city gets from this business, our health and well being is being ignored. I have already spent hundreds of dollars in doctors bills due to stress. Cardio-vascular and gastrointestinal disorders due to noise stress are well documented.

I urge you to implement remedies to this nightmare such as :

- elimination of tour and non essential helicopters.
- increased height including minimum altitude. The difference in decibel levels is enormous.
- immediate mandatory use of 'silent' helicopters (I know they exist).
- pooling requirements for newscopters. Eliminating their hovering, sometimes for over 1/2 hour.

These remedies are only a few I could mention, but they are the most urgently needed.

I am aware that our elected officials, Senator Tom Duane, Borough President C. Virginia Fields, Representative Carolyn Maloney and Jerrold Nadler are all working on this crucial issue. It is time that our antiquated legislation concerning noise pollution be changed to address the problems of our new age of technology -that is if the welfare of human beings counts in this world where greed takes priority over all other concerns.

Most Sincerely

Claude Holland

September 15, 2000

OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET
2000 SEP 27 A 11:12

51

Federal Aviation Administration
Office of Chief Counsel
Attn: Rules Docket, Docket #30086
800 Independence Avenue SW Room 915H
Washington, DC 20591

To whom it may concern:

I am writing to comment on the study to identify the effects of helicopter noise on people, as required by Section 747 of the FAA Authorization Act of 2000.

As a resident of Brooklyn Heights in New York City, I am alarmed by the unchecked growth and under-regulation of the helicopter industry in so densely populated an area as New York City. I believe the completion of this study in an objective and comprehensive way is critical to addressing the serious noise, safety and pollution effects of all types of non-essential helicopter flights.

First, I must say that I am troubled that an agency such as the FAA, whose first mandate should be to ensure the health and safety of the American public through objective oversight of the aviation industry, was apparently willing to allow such an important study to proceed without adequate community input. It took the vigilance of the Helicopter Noise Coalition to spot the announcement in the Federal Register and the timely letter of a New York State senator to have the deadline for such input extended to September 25th.

The FAA should now do everything in its power to ensure that the factual information gathered in this study is of the most comprehensive and objective quality, and that the methodology used is scientifically based and designed to support the intent of Congress. To this end I see no reason why useful objective data collected by the National Resource Defense Council study ("Needless Noise: The Negative Impacts of Helicopter Traffic in the New York City and Tristate Region") should not be utilized, nor why the FAA study should not be coordinated with the ongoing GAO study of airport noise in the U.S.

As someone who is often awakened in my home by noise from over-flying helicopters occurring at approximately 6:00 a.m. every weekday morning (it appears to be caused by corporate helicopters and/or DHL courier helicopters going to the Downtown Manhattan heliport from either JFK or LaGuardia airports), I must say that a study methodology that does not adequately measure single-event helicopter noise and its effects on people like myself is fundamentally flawed.

It is often necessary for me to interrupt my conversation, raise my voice if I am in conversation, or raise the volume of the radio or TV when some of those same helicopters provide transportation back to the airports at the end of the workday (4:30 p.m. –7:30 p.m.). There have been many instances when I have been awakened in the middle of the night by a helicopter flying low on route to who knows where. Furthermore, I am often disturbed early in the morning by noise of hovering news helicopters from various TV stations competing for the same story. And this is occurring after years in which city, state and federal officials, as well as community groups, have asked, indeed have implored, the helicopter industry and the news media to voluntarily “fly neighborly” and be considerate of the communities over which they fly!

There are many things that can be done but first and foremost it is absolutely necessary to implement enforceable regulations “with teeth”. While the majority of helicopter pilots may be responsible, a majority by definition is only 51%, leaving many, many instances when pilots are not held accountable for breaking established “voluntary” rules. To this end helicopters should be required to have clear identification markings that are observable by people on the ground so that they will be enabled to identify and report violations when they occur.

I think a comprehensive study should survey individuals in the community on the impact of helicopter noise on their lives.

I think that noise measurements should be taken in a variety of environments and that both interior (homes, schools, businesses, etc) and exterior (parks, heliports, national monuments, etc.) noise measurements should be taken.

In a city as densely populated as New York City, allowing helicopter pilots to fly over much of the metropolitan area while only guided by VFR rules does not only invite violations of the “voluntary” recommended flight paths so disturbing and deleterious to residents of the community, but it invites a potential disaster. All flight paths over NYC (including overflights not originating in NYC) should be controlled by the FAA. There have been enough helicopter accidents in the metropolitan area in recent years to know that neither pilots nor the equipment upon which they depend are infallible. If not the FAA, then on whom or what should the people of a city such as New York depend for their safety? Luck?

Raising the minimum altitude that helicopters can fly when over a populated area would go a long way in reducing the levels of helicopter noise pollution. Although I understand that consideration must be given to the fixed wing air traffic lanes, I also understand that there currently exist many, many situations in which helicopter pilots now have the opportunity to “voluntarily” fly higher, but fail to do so. If helicopter pilots cannot be relied upon to fly higher when possible, perhaps a directive from the controlling flight tower requiring them to do so when appropriate will get this common-sense partial solution implemented.

As a Brooklyn resident, I am heartened that helicopter tours over NYC have been restricted by the city in recent years, but I am dreading the day when the Downtown Manhattan Heliport will be open to such flights through 2007 as per the FAA grant assurance requirement for open access. In the interests of the health and safety of all New York residents, the FAA should release NYC from this requirement.

These recommendations for solving the pervasive problems created by non-essential helicopter traffic are only those that appear most obvious to me. I am confident there are many, many more. The best solutions and subsequent actions will only begin to emerge and take shape when this study is completed in an objective and comprehensive way by the federal agency charged with the primary responsibility for overseeing the aviation industry in the United States in a way that ensures the health and safety of all its citizens.

Sincerely,



Edward Ellien

134 Remsen Street, Apt 1B
Brooklyn, New York 11201
(718)237-0803

Certified Mail/RRR

Encl: 3 signed letter copies

cc: U.S. Representative Carolyn Maloney
U.S. Representative Jerrold Nadler
U.S. Representative Edolphus Townes
N.Y. State Senator Thomas Duane
Borough President Howard Golden
Borough President Virginia Fields
Helicopter Noise Coalition



Noise Pollution Clearinghouse

P.O. Box 1137, Montpelier VT 05601-1137
toll free (888) 200-8332 ♦♦♦ (802) 229-1659

"Good Neighbors Keep Their Noise To Themselves."

September 28, 2000

Federal Aviation Administration
Office of the Chief Counsel
Attn: Rules Docket No. 30086
800 Independence Avenue SW
Room 915 H
Washington, DC 20591



OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET
2000 OCT - 3 A 10:08

♦ Board ♦

Harriet Barlow
Director
Blue Mountain Center

Peter Barnes
Co-Founder
Working Assets

John Gilroy
Environmental Consultant

John Moyers
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Principal
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Environmental Activist

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Writer and
Environmental Activist

Stephanie Mills
Writer and
Environmental Activist

David Morris
Director
Institute for Local Self-Reliance

♦ Executive Director ♦

Les Blomberg
Noise Pollution Clearinghouse

Dear Jane Garvey and the Federal Aviation Administration,

I am writing today to request that the FAA regulate all helicopters except emergency aircraft in the same manner that other aircraft are regulated. The Noise Pollution Clearinghouse is a national non-profit organization that focuses on enhancing quality of life and the environment by quieting noise. We represent hundreds of people from all areas of the country who have contacted us for help with helicopter noise problems.

Helicopters are virtually unregulated. They are allowed to fly at any height below 2,000 feet that the pilot deems safe. This means that they can fly almost any route in unregulated airspace, any time, with any frequency, and they are permitted to hover or circle at will. In addition, helicopters often land and take off from residential areas, and are not required to use new quieter technology. Route maps are irrelevant if aircraft do not abide by them.

As a result of this lack of regulatory oversight, helicopters are used in a manner that destroys the health and well-being of citizens near heliports and under flight paths, impacting both urban and suburban residents. Helicopter tourism also affects visitors to National Parks and wilderness areas, and is inconsistent with the goal of protecting the parks' resources and visitors' pristine nature experience.

Accordingly, in order to protect the health and privacy of our public, and the safety and integrity of our cities, wilderness areas, and National Parks, we ask that the FAA:

- Establish a 3,000-foot minimum height rule.
- Require new craft to be at least 10 dBA quieter than the current fleet.
- Require the phaseout of the noisiest craft by 2005.
- Do not site heliports within 5,000 feet of residential areas.
- Establish mandatory minimum impact flight paths over all metropolitan statistical areas.

- Ban helicopters from within 10 miles of non-urban national parks, wilderness areas, national monuments, national seashores, and other sensitive and pristine public lands.

Voluntary restrictions do not work. In our cities, policies such as the "Fly Neighborly" program are voluntary and unenforceable. Similarly, route changes do not pertain to new operators and can be disregarded. Moreover, National Parks and municipalities need jurisdiction to effectively address local and regional helicopter route issues.

To accomplish these priorities, the Noise Pollution Clearinghouse calls for a legally mandated helicopter "no-fly" zone within our densely populated cities, suburban areas, National Parks, and wilderness areas. In order to ensure that people on the ground do not pay the consequences of helicopter noise, enforceable and effective rules must be applied to all non-emergency flights of all types of helicopters.

Sincerely,



Vicky Parra, Esq.
Communications Director
Noise Pollution Clearinghouse

Oren Thatcher
320 West 89th Street
New York, NY 10024

Federal Aviation Administration
Office of Chief Counsel
Attn.: Rules Docket, Docket No. 30086
800 Independence Ave. SW, Room 915H
Washington, DC 20591

September 20, 2000

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OFFICE OF THE
CHIEF COUNSEL
FEDERAL AVIATION
ADMINISTRATION
200 507-3 A 10-09

Re: Helicopter Noise and Its Impact in New York City

The following comments are offered to help evaluate the impact of non-military helicopter noise. They are based on five years of living in Manhattan, New York, near the Hudson River.

**Location of
Observations**

- **Residence.** 320 West 89th Street, New York, NY 10024, between West End Avenue and Riverside Drive, about ½ mile from the Hudson River, near the Soldiers and Sailors Monument in Riverside Park.
- **Other observations** made in other Manhattan locations, particularly Riverside Park, Central Park, and Downtown.

**Tourist
Helicopters**

- **Paths.** For several years, flight paths seemed to pass directly over my apartment building; possible reasons: (1) The Soldiers and Sailors Monument, at Riverside Drive and 89th Street, serving as an easy navigational cue, or (2) A 1996 political "agreement" with the industry shifting cross-Manhattan flyovers to north of 86th Street.

More recently, most of the paths seem to go over the Hudson River or Riverside Drive, flying north and then turning south around 86th Street or, again, the Soldiers and Sailors Monument.

- **Time, duration, and frequency.** Depending on the time of year, weather, and the operators' ever-shifting flight paths, flyovers can be as frequent as one minute apart. Given my working hours, I notice them mostly on weekends (usually after 9:00AM) and in the evenings (as late as midnight.)
 - **Altitude.** Variable, but generally low, to afford tourists a better view.
 - **Impact.** Some days it feels like a war zone – an almost incessant buzz. It is impossible to listen to music or relax, and difficult to talk on the phone. A guaranteed wake-up call on weekend mornings.
-

**News-
Gathering
Helicopters**

- **Paths.** Unpredictable. On occasion, a chopper chooses a spot near my apartment and hovers, covering traffic on the Henry Hudson Parkway.
 - **Time, duration, and frequency.** Unpredictable. But when hovering happens, it is usually very early in the morning (as early as 5:00AM) and lasts for a long time, 30 minutes or so. (Most recent incident: August 14, 2000.)
 - **Altitude.** Variable.
 - **Impact.** Few things in life are more irritating than waking up at 5:30AM to the incessant sound of a hovering helicopter. It is a devastating blow to a good night's sleep, with a sure impact on the rest of the day.
-

**Corporate
and other
Commuter
Flights**

- **Paths.** Up and down Riverside Drive as well as east-west over my block – again, it is my suspicion the Soldiers and Sailors Monument is used as a navigation cue for making a south turn for helicopters coming from the east.
 - **Time, duration, and frequency.** Unpredictable, but often very early in the morning (as early as 6:00AM) and even late at night (after midnight).
 - **Altitude.** Many of these helicopters seem to fly in a fairly low altitude.
 - **Impact.** The equipment usually used – larger and faster (I believe these are mostly “jet helicopters”) – is devastatingly NOISY. It literally shakes and rattles things around my apartment, and never fails to wake me up early in the morning, even if only a brief flyover. On the street you can see people looking up in awe whenever they fly over – they are *that* noisy.
-

**General
Comments**

- This may come as a surprise to most Americans, but New York City can be actually fairly quiet in many places. The noise of helicopters is not always muffled by buses, sirens, and gun shots.
 - The noise impact of airports and aircraft flight paths is recognized and strictly regulated. Helicopters are every bit as noisy, and can constitute a major and incessant source of noise pollution, not unlike proximity to an airport. It took decades to recognize and address commercial aircraft noise issues; it is time helicopters were subjected to at least the same regulations and restrictions. In New York City, and probably in other places as well, helicopter noise has become a major quality-of-life problem.
-

I hope these comments help illustrate the local community's point of view on this matter.



Oren Tatcher

KENNETH K. FISHER
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THE COUNCIL
OF
THE CITY OF NEW YORK

COMMITTEES
YOUTH SERVICES
CHAIR

ECONOMIC DEVELOPMENT
PARKS, RECREATION, CULTURAL, AFFAIRS &
INTERNATIONAL INTERGROUP RELATIONS
STATE & FEDERAL LEGISLATION

September 21, 2000

Federal Aviation Administration
Office of Chief Counsel
Attn.: Rules Docket, Docket #30086
800 Independence Avenue SW, Room 915H
Washington, DC 25091

54

2000 SEP -3 A 10:10

Dear Sir/Madam:

As the NYC Councilmember for Northwest Brooklyn I am writing about the study to identify the effects of helicopter noise on people, as outlined in Section 747 of the FAA Authorization Act of 2000. I am pleased that such a study is being undertaken because helicopters effect my constituents on a daily basis. However, it is appalling that there was not greater notification about the study and greater opportunity for community input. I feel that without adequate input from the people experiencing the difficulties the study will be lacking.

Several years ago I worked with a local coalition to gain the cooperation of helicopter operators to limit the impact that they have on the lives of the people in my district. At that time we met with representatives of the FAA, specifically Larry A'Hearn of the Garden City FAA office. I suggest he be contacted about the issues that we delineated at that time and that still continue.

My constituents are wakened on a daily basis at 6:00 AM by multiple traffic helicopters since my district contains several major traffic arteries. This noise continues through the morning rush hour and resumes again for the evening rush hour. In addition, corporate and courier helicopters continually pass over Brooklyn Heights on their way to and from JFK and LaGuardia airports. At times the helicopters even rattle windows and doors!

I am greatly concerned not only about the effect that the noise has on my constituents, but also the danger that they pose for such a highly populated urban area. This danger is not unreal as there have been a number of helicopter crashes in New York City. To allow helicopter pilots to fly over most of the metropolitan area only guided by VFR rules, not only invites violations of the voluntary recommended flight paths, but is the basis for a potential disaster.

I implore you to do everything to insure that the information gathered for this study be comprehensive, objective and that the methodology used be

scientifically based and support the intent of Congress. I urge you to utilize the data from the National Resource Defense Council study ("Needless Noise: The Negative Impacts of Helicopter traffic in the New York City and Tristate region") and that the FAA study be coordinated with the ongoing GAO study of airport noise in the U.S..

When I first became involved in helicopter issues I was surprised to learn that there are no enforceable regulations with impact. I think the first step would be to recommend that such regulations be enacted and enforced. These regulations should address flight paths and raise the minimum altitudes which could be done even allowing for the priority given to fixed wing aircraft. I think it is critical that the number of traffic helicopters, all doing the same thing, should be addressed. Perhaps a pool helicopter could provide the same information multiple helicopters now provide.

These are issues that I as a layman feel should be addressed. When the study is complete I hope that there will be even better, professional solutions and the action necessary to make them a reality. I call on you as the agency responsible for overseeing aviation to take steps to ensure the safety and health of my constituents.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth K. Fisher", with a stylized flourish at the end.

Kenneth K. Fisher

KKF/mwm

JUDICIARY COMMITTEE

SUBCOMMITTEES:

**RANKING MEMBER
COMMERCIAL AND
ADMINISTRATIVE LAW
CONSTITUTION**

**TRANSPORTATION AND
INFRASTRUCTURE COMMITTEE**

SUBCOMMITTEES:

**GROUND TRANSPORTATION
OVERSIGHT, INVESTIGATIONS AND
EMERGENCY MANAGEMENT**

REGIONAL WHIP

**Congress of the United States
House of Representatives
Washington, DC 20515**

OFFICE OF THE
CHIEF COUNSEL
DOCKET

OCT -3 A 10:14

**JERROLD NADLER
8TH DISTRICT, NEW YORK**

REPLY TO:

☐ **WASHINGTON OFFICE:
2334 RAYBURN BUILDING
WASHINGTON, DC 20515
(202) 225-5835**

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NEW YORK, NY 10013
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BROOKLYN, NY 11224
(718) 373-3198**

E-mail: jerrold.nadler@mail.house.gov
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**COMMENTS BY CONGRESSMAN JERROLD NADLER (NY-08) IN RESPONSE
TO DOCKET 30086, "REPORT TO CONGRESS ON THE EFFECTS OF
NONMILITARY HELICOPTER NOISE ON INDIVIDUALS IN DENSELY
POPULATED AREAS IN THE CONTINENTAL UNITED STATES"
SEPTEMBER 25, 2000**

This commentary is being submitted concerning Section 747, Nonmilitary Helicopter Noise, of HR 1000, Aviation Investment and Reform Act for the 21st Century. This section, which mandates a study of the effects of nonmilitary helicopter noise on individuals in densely populated areas, was inserted in HR 1000 at the behest of Congressmembers from New York City. It was an attempt to focus much-needed attention and to elicit recommendations via an in-depth study on assessment and amelioration of the severe problems that helicopter noise is causing for residents of many neighborhoods. The ongoing problem of helicopter noise in New York City is one that affects, in particular, many residents of Manhattan and Brooklyn.

During the past five years, my office has received a steady stream of complaints regarding the increasing frequency of helicopter operations, including sightseeing, news gathering, corporate and other private flights. These are in addition to regular police, military and medical helicopters. People call to report helicopters flying in close proximity to their homes, to tell of the disturbing noise, which occurs early in the morning and throughout the night, and to convey the crushing impact of this noise on their daily lives. Complaints about the effects include disturbance in sleep patterns, inability to concentrate, difficulties in learning, headaches, stress, and a marked reduction in quality of life. The situation has even caused some to reassess whether to remain in New York City. This problem has spawned the formation of coalitions of residents dedicated to putting an end to nonessential helicopter traffic, the creation of local governmental task forces to address the growing dissatisfaction with the unceasing disruption, and finally the action of members of Congress who recognize that the FAA must seize the opportunity to regulate the industry and mitigate the deleterious noise, traffic, environmental and health impacts of helicopter operations.

Clearly, design of the study is crucial in amassing relevant data and producing recommendations for reducing the effects of helicopter noise on individuals in densely populated urban areas such as New York City. Sound-measuring devices must be placed at variegated sites. It is not enough to measure sound at heliports; residents in many locations around the city are affected by the helicopter noise generated in their neighborhoods, and devices must be placed to pick up those noises. In addition, the methodology used to measure helicopter noise does not pick up low-frequency sounds and does not, in general, measure the distinctive helicopter noise. Helicopter noise is

different from other aircraft noise and the different characteristics of such noise must be assessed. The purpose of the study, however, is not just to take measurements and theorize from those data what the effects might be: the purpose is to hear from people how the noise impacts on their and their families' mental and physical well-being.

By far the most instructive method of understanding the effects of helicopter noise is through direct communication with those who experience it. Indeed, community input is essential, and thus it is required that the FAA consider the views of "organizations with an interest in reducing nonmilitary helicopter noise on individuals." There is no shortage of individuals and groups of neighbors who are willing and eager to recount their personal experiences with helicopter noise. The impact on their lives will be clear from their narratives. In addition, however, an intensive search of existing literature on aircraft noise must be undertaken. There do exist studies on noise and mental and physical health that can be enlightening. And within the New York City area there are noise experts and community leaders who have years of accumulated evidence regarding effects of helicopter noise. Groups such as the Natural Resources Defense Council have issued informative and well-researched reports about effects of noise. There is also an ongoing study of airport noise being conducted by the GAO, and some of the information gathered in that study could be pertinent here.

To define the scope of the problem, the FAA should obtain an accurate read on the number of helicopters that use the airspace over New York City. There is no established method for counting the overflights experienced by residents of New York City. Many flights originate outside of the city, e.g., in New Jersey and Connecticut, and those are experienced just as acutely as flights that originate from city heliports. Those flights must be counted and factored into the problem. Even without precise data, it remains dismayingly true that New York City has the heaviest helicopter traffic in the nation.

The FAA has options when it comes to reigning in and regulating helicopter traffic. The FAA can set required routes, it can set minimum altitudes, and it can set standards such as a Stage 3 level of noise output. The FAA can mandate flying over waterways, regulate hovering duration, and direct helicopter operators to conform to takeoff, landing and flyover noise abatement procedures. The current situation experienced by many New Yorkers, and many other residents of congested urban areas, is not compatible with the reasonable expectation of a peaceful quality of life. The congestion in the skies of New York City means that helicopters fly lower (sometimes below 2000 feet) and closer to buildings in highly residential areas. The paucity of data on health impacts specifically of helicopter operations motivated the inclusion of such a study in HR 1000. The affected communities in New York City and other densely populated urban areas are putting their expectations in this mandated FAA report. They look to the FAA for leadership on this issue, and for rigorous and systematic solutions to the persistent problems engendered by helicopter noise. Whether the best solution will include turning control of airspace over to local municipalities or the FAA imposing strict and inviolable rules, thousands of urban residents are awaiting a comprehensive, well-thought out, and environmentally responsible document.

Ethna Duffy
39 West 89th Street
New York, NY 10024

OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET

2000 OCT -4 P 3: 27

September 22, 2000

Federal Aviation Administration
Office of Chief Counsel
ATTN: Rules Docket, Docket # 30086
800 Independence Ave., SW Room 915H
Washington DC 20591

56

To Whom It May Concern:

This letter is to voice my concern about the growing problem of helicopter noise in the New York City area. Over the past 4-5 years, the increase of this kind of air traffic has been disturbing and detrimental to the health and well being of the New York area.

Just this past Labor Day weekend, I was awoken at 4:30 in the morning by a low flying helicopter which circled my neighborhood for 40 minutes. This is a densely populated area being disturbed pre dawn. I could not learn who or why this happened from the local police.

I have complained on numerous occasions to the local news stations which insist on unnecessarily having news copters report on non-news items like a fire in a trash can blocking a traffic lane on a local street, or to report (and this is absolutely true!!) that "nothing is going on and everything is quiet" in a neighborhood. New stations copters are intrusive, noisy – even frightening, suggestive of real emergencies even of warfare. (Ridiculous as this sounds, these stations even advertise themselves as having "air supremacy".) I feel news stations are particularly abusive of community rights of peaceful enjoyment and recommend that only one helicopter be allowed to report on traffic problems and that all stations use this one resource for their traffic news.

I live near Central Park in NYC. Often when there are events, helicopters fly overhead. I can respect this when the event is of national or international interest, as when the Pope visited New York a few years ago. However, I cannot respect copter presence when a pop musician performs, such as when Garth Brooks performed. Again the news copters felt a need to report starting at 5:30 AM of the fact that a crowd was gathering. This was just not important and certainly not worthy of disturbing the populace living near Central Park.

Throughout the day, copters fly back and forth across Central Park from East to West and back again. I have never been able to determine why. I suspect that it's a local service to area airports from a west side heliport. If this is so, why are these few traveling passenger allowed to disturb the rights of so many by inflicting noise?

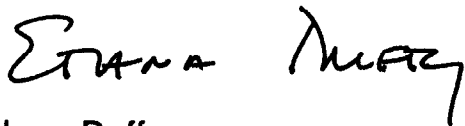
I believe all helicopters used for sightseeing purposes in New York City should be banned outright. NYC is too densely populated to deal with a possible helicopter crash. It is already too noisy for this totally unnecessary aural assault. New Yorkers already have to deal with more stress than most other city dwellers and I believe it unfair to subject so many people to more noise and stress to accommodate a few.

Helicopter noise affects health adversely. I find it alarming and disturbing, and it negatively affects my nerves and increases my stress level. Often it is so loud, my apartment windows rattle and I can physically feel the vibrations from its noise. It's bad enough to deal with this noise when I'm outside but even in my own home, I cannot find escape from this unnecessary stress.

Copters used by the police, or for security reasons are necessary and in the best interest of the community. Frivolous helicopter sightseeing flights are an abuse of the community. New station copters usage should be cut back and downscaled to provide a more efficient and less abusive service. Again, I recommend that only one helicopter be allowed to report on traffic problems and that all stations use this one resource for their traffic news. All copters should fly as high as possible to decrease their excessive noise. All copters should not be banned from circling or hovering for more than the shortest amount of time. News copters should not be allowed to cover entertainment events.

Please consider the health of the community. Noise pollution is real and a growing problem. Helicopters are one of our worst noise polluters.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ethna Duffy', written in a cursive style.

Ethna Duffy

Cc Helicopter Noise Coalition

Author: <GWACIE2@aol.com> at SMTPGate
Date: 10/9/00 6:15 PM
Normal

TO: Sandy Liu at AWAAEE
CC: LBashaar@aol.com at SMTPGATE, AZTKE@aol.com at SMTPGATE,
FISHNQWN@aol.com at SMTPGATE, DJLEEHEY@earthlink.net at SMTPGATE,
ROSEGRP@excelonline.com at SMTPGATE, ZJAKLZ@aol.com at SMTPGATE,
gweinreich@aip.com at SMTPGATE, Dayt224@excelonline.com at SMTPGATE,
ce2go@earthlink.net at SMTPGATE, gsilver@sprintmail.com at SMTPGATE
Subject: (no subject)

----- Message Contents

The West Hills Property Owners Associaton (WHPOA) agrees with the comments of Mr. Silver. We are especially concerned about the number of helicopters that respond to "news events". One of these days we will have a catastrophic , noisy accident all in the name of getting there first.

Charles E. Gremer
President, WHPOA Board of Directors

In the matter of:

ASSESSMENT OF NON-MILITARY
HELICOPTER OPERATIONS FOR
A DENSELY-POPULATED AREA
(HELICOPTER NOISE)

PUBLIC COMMENT

Submitted to

Office of Chief Counsel
Federal Aviation Administration
800 Independence Ave. S. W.
Washington, DC 20591

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* REGULATORY DOCKET 30086
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* JULY 20, 2000
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I.

PUBLIC INPUT FOR STUDY
TO CONGRESS ON HELICOPTER

This document is in response to the Federal Aviation Administration's efforts to seek public comment to help the agency prepare a report to Congress on the effects of non-military helicopter noise on individuals in densely-populated areas.

Section 747 of the FAA Reauthorization Act of 2000 directed the FAA to conduct a study that would focus on air traffic control procedures to address the helicopter noise problem and take into account the needs of law enforcement. The comments below are submitted to the FAA to become part of the official record.

II.

THE FAA ASKED FOR RESPONSES TO FOUR QUESTIONS

In its request seeking public comment, the FAA asked for responses to four questions:

1. What are the types of helicopter operations that elicit the negative response by individuals in densely populated areas?

2. What air traffic control procedures are applicable in addressing

helicopter noise reduction? why?

3. What impacts could restrictive air traffic control procedures have on operation of law enforcement helicopters, electronic news gathering helicopters, sightseeing tour helicopters, emergency medical services helicopters, corporate executive helicopters?

4. What are the recommended solutions for reduction of the effects of non-military helicopter noise?

III.

HOMEOWNERS OF ENCINO'S RESPONSE TO THE FOUR QUESTIONS

Q-1. What are the types of helicopter operations that elicit the negative response by individuals in densely-populated areas?

A-1 Almost all helicopter flights over the San Fernando Valley, including Encino, Sherman Oaks, Tarzana, Studio City, the Cahuenga Pass, Hollywood and the Santa Monica mountains cause an enormous amount of noise and negative public reaction. Early morning media flights, emerging from Van Nuys Airport (VNY), are the source of the most troublesome operations. TV Channels 2, 4, 5, 7, 9, 11, 13, 34, and radio KFI, KNX and KFWB are some of the most distressing, low flying, or hovering flights (characteristic of news operations). In addition, a larger number of sight-seeing/tourist flights are operated from VNY and they too are very troublesome at all hours. These flights frequently begin from VNY, fly over Universal Studios, the Hollywood sign, the homes of celebrities or various landmarks.

Van Nuys Airport has become the region's helicopter center for a vast number of media, sight-seeing, training and City helicopters. This heavy concentration of helicopters, frequently flying as early as 5 a.m., and at low altitudes has become a major community nuisance that the FAA must address.

Q 2. What air traffic control procedures are applicable in addressing helicopter noise reduction? why?

A-2. The local airport operator, Los Angeles World Airports (LAWA), has not established local flight procedures that adequately address the helicopter noise problem. Six routes are used by helicopters to fly in and out of VNY. These routes, especially the Sepulveda Basin South, take helicopters over a large, heavily populated urban area.

Since the FAA has refused to establish minimum altitudes for helicopters (short of what the pilot deems safe), helicopter pilots do what they like. [See Docket 27371]. This results in loud, frequently, low flying helicopters over heavy residential populations at virtually all hours of the day and night.

To control urban helicopter noise, we believe it is imperative for the FAA to implement the flight procedures below:

1. Establish minimum altitudes over populated areas. Clearly a minimum altitude of at least 1500 ft. AGL should be established over populated urban areas. The lack of minimums create a horrendous noise problem for residents on the ground. The hope of "self-regulation" by the helicopter industry has proven to be a failure, as has the industry's "Fly Friendly" program. The FAA must step in and resolve this issue.

2. Limits must be placed on the number of helicopters that can be involved in reporting a car chase, loose dog or cat on the freeway, or minor blaze in a residential dwelling or office building. The current FAA policy allows dozens of helicopters to track one car chase, creating an enormous noise problem on the ground, and an unnecessary burden for FAA traffic controllers. Rules must be established to control this kind of activity, including a requirement that helicopters "pool" their news coverage.

3. Limit use of helicopter to gather electronic images, rather than allowing helicopters to serve as low altitude "TV studios." There needs to be regulations on what kinds of activities are permitted in the air.

4. Freeways should not be arbitrarily defined as established helicopter routes. These routes create a heavy noise burden on residents that live near

freeways. It is a fallacy that residents living near freeways are less disturbed by helicopters than other residents. These people often endure excessive traffic noise, and adding more helicopter noise makes matters even worse. The FAA should not take the "easy way" out and blindly adopt freeways as approved helicopter routes. What is needed is a careful assessment of land uses on the ground before defining any helicopter route. When defining a route, preference should be given to over-flying commercial or industrial land, not freeway routes located near residential populations.

5. Larger N numbers must be required on helicopters. While many media outlets paint large graphics or station call signs on their helicopters, they should be required to paint large N numbers on them as well. This would enable people on the ground to readily identify disturbing helicopter operations.

6. Police, fire and other emergency helicopters should be required to adhere to high minimums when not in active service. This would prevent, for example, a police helicopter from flying low when returning to the heliport, after it has completed its assignment.

7. Maximum time limits must be established for hovering or stationary operations over urban areas. Helicopters frequently hover over an accident scene, minor disturbance or police investigation for several hours. This interferes with police work and generates an enormous noise problem for residents on the ground.

8. Each metropolitan area should have a helicopter noise hot line, funded by the FAA or local airport that is well publicized for the public's use. It should be promoted in the media to encourage residents to report offending helicopter operations. The FAA needs to staff these hot lines and contact the nuisance helicopter operators when necessary.

9. Limits must be placed upon the frequency of sight-seeing and tourist helicopter operations over urban areas. In some communities, sight-seeing helicopters fly the same routes repeatedly every ten or fifteen minutes. This must be stopped, regulated or severely limited.

10. Curfews should be established to control industry excesses. Unless a sound justification is made for an exception, a 10 p.m. to 7 a.m. curfew should be established for helicopters operating over populated areas.

Q-3. What impacts could restrictive air traffic control procedures have on operation of law enforcement helicopters, electronic news gathering helicopters, sightseeing tour helicopters, emergency medical services helicopters, corporate executive helicopters?

A-3. We believe that the restrictions that we have suggested above would significantly reduce noise on the ground while having only a marginal or inconsequential impact on law-enforcement or emergency operations.

1. Law-enforcement helicopters should be allowed to perform necessary operations when and where needed. However, when not in active service these helicopters should be required to conform to a 1500 ft. AGL minimum altitude.

2. Electronic news helicopters are for the most part a major nuisance; they provide entertainment for the television viewer. Better traffic reporting options are available. In some localities, such as Los Angeles, the California Dept. of Transportation's (Caltrans) Maxwell system enables the media to gather traffic information through a system of cameras and sensing loops embedded in the freeway network. This system, available to all media, and the public, is efficient, safe, requires no fuel and creates no noise or environmental problems. The FAA should investigate funding or making such traffic systems mandatory, rather than allowing helicopters to perform a redundant service.

3. Sight-seeing by helicopter over the city is not a desirable activity. Restrictions on such flights are necessary, since other forms of

sight-seeing transportation are available.

4. Emergency medical service helicopters are almost without exception a tolerable necessity. However some regulation needs to be placed on these operations, where residents living near emergency facilities receive most of these flights. Helicopters flying to such facilities should use routes that take them as a matter of regulation over the least densely-populated areas.

4. What are the recommended solutions for reduction of the effects of non-military helicopter noise?

1. Minimum operational altitudes should be established for urban helicopter over-flights.

2. FAA regulations/rules should authorize local governments to restrict or to forbid placement of helicopter launching/landing facilities, and to place flight restrictions on some helicopter operations.

3. Sight-seeing flights over densely settled areas should be forbidden or severely limited. The FAA should allow the local jurisdiction to restrict or forbid such flights.

4. The FAA should adopt a rule which would allow local police, fire and highway patrol agencies to place a flashing blue light on a helicopter's underbelly. This would signal residents below that the helicopter is in public service, not sight-seeing, media or unnecessary operations. This key piece of information would help residents below assess the nature of the helicopter noise, and perhaps reduce the number of unnecessary complaints.

5. The FAA should devise and implement new noise standards for helicopters.

A phase-out program for older models should be put in place. There should be a definite phase out time limit on all Stage 2 helicopters.

IV.

GENERAL COMMENTS

1. Of major concern to us is whether the FAA has the commitment, staffing, facilities, or the organizational structure to take on regulation of helicopter flights over populated areas. We question whether the FAA will be able to resist the heavy lobbying efforts of the helicopter industry, including the Helicopter Associates International (HAI), and local media helicopter trade groups.

2. We are disturbed by the close and frequent contacts that exist between the FAA and HAI, with their heavy Washington DC presence, and other pro-aviation lobbying groups. It is essential that the FAA seek out local community groups to ascertain the real conditions and problems vis-à-vis helicopter noise.

3. We believe that the FAA's method of involving and informing the general public in helicopter noise matters is most unsatisfactory. There are hundreds of noise organizations, and tens of thousands of individuals across the country that are actively engaged with airport, aviation and helicopter noise issues. The FAA should have made a much more massive and thorough attempt to reach these organizations for comment for Docket 30086.

Our organization, Homeowners of Encino (dba National Helicopter Noise Coalition [NHNC]), was actively involved in proposing minimum helicopter altitude regulations several years ago [See FAA Docket 27371]. Yet we were not informed by the FAA of the current docket effort. This speaks volumes about the intent and real commitment the FAA has to address the helicopter noise problem. Our organization, which sponsors the National Helicopter Noise Coalition (NHNC), maintains an extensive list of groups and individuals across the country who should be informed directly by the FAA of Docket 30086. We will make this list available to the FAA, upon your request

at no charge.

5. We find it distressing that such a short time frame was allowed by the FAA to gather public comment on the helicopter noise issue. Many community groups and individuals are vitally affected, but cannot prepare the necessary response in the short time allowed for public comment.

6. The requirement for actual physical receipt of comments in triplicate is unreasonable. The FAA should also solicit comment by email, and fax, and establish a voice mail hot-line to record spoken comments.

7. Many community, citizen, neighborhood and volunteer groups hold monthly meetings, and frequently take off summers. These groups will not have been properly notified of the FAA's interest in seeking comment on the helicopter noise issue.

8. The FAA must resist helicopter industry distortions and pressure. Hopefully the FAA will discount the flood of comments that may be received from the HAI or other vested helicopter industry groups. It would not be fair for the FAA to report to the Congress that there is little interest in this issue or that problems are minimal.

V. Executed at Encino, California on July 20, 2000 by Gerald A. Silver,
President, Homeowners of Encino.

Gerald A. Silver

The Bravers
110 Willow Street
Brooklyn, NY 11201

OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET
2000 OCT 10 P 3:31

September 29, 2000

Federal Aviation Administration
Office of Chief Council
Attn: Rules Docket
Docket # 30086
800 Independence Ave. SW
Room 915 H
Washington DC 20591

57

Dear Sir or Madam:

We are writing as residents of Brooklyn Heights (New York) regarding the noise made by helicopters flying near or over our neighborhood.

Virtually every weekday morning we are awoken by the sound of helicopters that we believe are hovering over the Brooklyn Queens Expressway. Presumably they are observing the traffic, as the pattern of flights between 5:30 am and 7:00 am suggests that these are neither corporate nor tourist flights. (We point this out, because the newspaper coverage seems to suggest that most complaints concern helicopter tours.)

We cannot say at what altitude these machines are hovering, but their noise reverberates and is amplified by the buildings (three- to eight-story) that face each other across small backyard gardens.

We certainly understand the need for traffic (or other news) helicopters, but would suggest that if they were assigned to fly at a higher altitude, they could do their jobs and at the same time let residents of this neighborhood choose the time they wish to wake.

Thank you for considering this matter.

Sincerely,

Charles and Jill Braver

Charles and Jill Braver

DAVID BONINI

2 October, 2000

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OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET
2000 OCT 10 P 3:31

Comments to Document 30086
Federal Aviation Administration
Office of the Chief Counsel: Attn: Rules Dockets: Docket 30086
800 Independence Avenue SW
Room 915
Washington DC 20591

While I respect what the FAA is doing to produce the world's best air transportation system, there are loopholes which some dangerous people abuse. These loopholes allow social criminals to brutalize neighborhoods, escape legal responsibility, and encourage further community violence.

In particular, noise from helicopters at a local (Contra Costa County, CA) training school has such a negative consequence on our community that one of our local mayors calls the situation *outrageous*. Citizens are in tears, relative property values decline and residents leave their homes mere to get some sleep. The perpetrators laugh about the problem and publicly proclaim that as long as the law allows them to go forward, they will not only continue, but expand. A senior County mental health official described the owners of the school as *very bad sociopaths*.

This has forced our County to waste hundreds of thousands of dollars to try and stop the helicopter noise. But the local FAA office claims the routes used are safe and that FAA policy allows these helicopters to fly all they want. These policies have nothing to do with developing a safe, efficient U.S. transportation system: most of the students are non-U.S.—who will never transport a U.S. citizen anywhere.

The enabling policies only benefit sick people who are interested in money and do not care whether American communities live or die. This is not in the best interests of America, born with a constitutional guarantee of its citizens to own and enjoy property. Local communities must be able to enact reasonable controls on helicopter activities not related to creation of a healthy U.S. transportation system.

Sincerely,


Dave Bonini

825 Golf Club Circle
Pleasant Hill, CA 94523
V/F 925/685-4532
davebonini@home.com

October 2, 2000

FAA
Office of the Chief Counsel
800 Independence Avenue, SW
Washington D.C. 20591

59

OFFICE OF THE
CHIEF COUNSEL
2000 OCT 10 10 53 AM '00

Subject: Regulatory Document 30086—non-military helicopters

I became aware of Regulatory Document 30086 in the September 8, 2000 issue of *Airport Noise Report*, in other words I have not read the official document.

I live across the street from Los Angeles International Airport, LAX. Whenever the news media thinks there is a story at LAX helicopters swarm over my town, El Segundo, CA., as they are restricted from flying/hovering in LAX airspace. For example, on October 14, 1999 a helicopter made a "hard landing" (on its side). This event produced 11 helicopters hovering over El Segundo houses, our residential area is two square miles, for two solid hours. Needless to say citizens were upset. Some residents were actually able to read the painted numbers on the helicopters. We could do nothing but cross our fingers.

El Segundo is Class D airspace operated out of Hawthorne Airport tower. However that tower is closed at night. Thus we become Class E airspace which means nobody is in control but the pilot. The VFR rules of Class E say 500 feet below, or 1000 feet above, or 2000 feet horizontally from a cloud (clouds and fog are considered the same). El Segundo is a beach community, fog is a common occurrence. A 500 foot altitude below fog is very low.

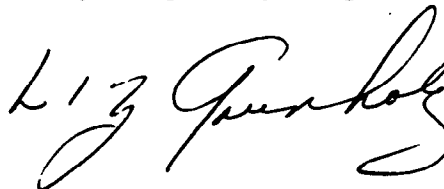
With this said:

1. The article I read stated that the FAA study was focusing on the *types* of helicopters that elicit complaints. In my town that type would be **news media helicopters**.
 - a. There must be a **helicopter altitude restriction** over densely populated areas.
 - b. There must be a **restriction on the number of helicopters** in e.g. a square mile.
 - c. There must be a **restriction on the hovering time**.
2. The article states "The hope of 'self-regulation' " by the industry. Historically roosters in the hen house must be watched at all times. If the industry had been practicing "self-regulation" there would be no noise problem today.
3. Helicopters must develop Stage III technology as the rest of the industry has had to do.

Helicopter noise is directly related to safety, not an issue in this study but an issue with my town. The closer the helicopter the noisier it is and the noisier and closer it is the more unsafe it becomes especially over a densely populated area. The industry tightly regulates fixed-winged planes it is however, derelict in it's responsibility in regulating rotating-winged planes. In all fairness, years ago when helicopter regulations were being developed there were few of them. Today it is a different story. It is no longer reasonable to let helicopter pilots fly in a no minimum altitude environment with the only restriction being they cannot "fly in a careless or reckless manner". Commercial and general aviation pilots have rigid rules so should helicopter pilots.

Thank you for affording me this opportunity to express my thoughts.

Liz Garnholz
442 Whiting Street
El Segundo, CA 90245



Docket #30086

531 Main Street #1012
New York, NY 10044
September 30, 2000

Federal Aviation Administration
Office of the Chief Counsel
Attention: Rules Docket, Docket #30086
800 Independence Avenue SW, Room 915H
Washington, DC 20591

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OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET
2000 OCT 10 P 3:34

To Whom It May Concern:

I am writing in reference to the very serious and deleterious impacts that result from the high levels of noise that attend helicopter usage. I am a resident of an apartment complex directly across from the former New York City's East River 60th Street heliport. Our building was constructed in 1975 and residents moved in at a time when the 60th Street heliport was in operation. We soon learned that our new "island paradise" here on Roosevelt Island had more of an atmosphere of a Vietnam War center of operations than the peaceful neighborhood promised in the New York State Urban Development Corporation's promotional literature as helicopters buzzed overhead and swooped passed our windows day and night.

Over the next 20 years we tried to do something about it. We called the New York City noise complaint number. There, we were informed by the NYC Department of Environmental Protection operators that as sorry as they were about our plight, they had no jurisdiction over helicopter noise. We called the FAA. The FAA said that as sorry as they were about our problems, they regulated air space not noise. Our Community Board also sympathized, but they could do nothing. Similarly our "elected officials" were powerless. So, for 20 years, despite the river breezes, we kept the windows closed, even in the summer, in order to be able to carry on a conversation or listen to the t.v. The buildings terraces with their lovely river views served as storage for tenants' bicycles, old furniture, etc. The constant din of the helicopters made them unusable.

Finally after over 20 years of spinning our wheels, one group of residents replacing another as people gave up, each group basically going through the same fruitless process time after time, we finally succeeded in having the heliport closed down. A happy ending? In some ways. The summer after the port was closed down, the balconies sported flower boxes, porch furniture. On summer nights for the first time since the building opened, people sat out, enjoying a glass of wine, eating dinner, drinking in the views of the sunsets and passing boats. We finally had the right and ability to enjoy our homes that had been denied us for over 20 years.

Was this a happy ending for our neighbors to the south? No, the helicopter traffic was not grounded. Instead it was diverted to the 34th Street Heliport and other nearby ports. Now those people are enduring the misery that we did for all those years. They are making the same fruitless calls, calling the same "elected officials", and spinning their wheels just as we did. And, when they succeed in closing "their" heliport, folks in another neighborhood will be the victims as the

noise is shuffled from place to place, the industry buying time with each move while the unsuspecting mobilize for justice.

This should not be allowed to continue. Americans have the right to enjoy their homes in peace. The convenience of a very few should not be permitted to condone the taking of any American's right to use and enjoy his/her property. This is a right that should not have to be fought for. Every time. Case by case. It should be part of the code of law. We are protected by law from noxious odors, fire hazards, criminals, and even noise of terrestrial origin. There is no justification for the exclusion of helicopter noise from our protection against the taking of this right. If an indoor noise limit of 45 decibels is the acceptable limit for noise of non-helicopter origin, it is nothing short of bizarre to permit the emission of noise that results in an indoor level of 86 decibels (recorded at 401 E. 34th St.) because it comes from helicopter engines/rotors. The taking of the victims' property rights is identical. And as to the idea that the industry is attempting to "fly neighborly", no one would be expected to rely on the "neighborliness" of the local disco or aspiring musician upstairs for quiet. That is why 45 decibels is part of our code of law. And why it should apply to ALL sources of noise!

Sincerely yours,

A handwritten signature in cursive script that reads "Nancy Cruickshank". The signature is written in dark ink and is positioned above the printed name.

Nancy Cruickshank

10-6-2000

To: FAA

(Re): Rules Docket # 30086

800 Independence S.W.

Room 915H

Washington, D.C. 20591

(U)

OFFICE OF THE
ATTORNEY GENERAL
JAN 10 10 34 AM '01

From: Mrs. Ellen Pedersen

530 East 76th Street - Apt: 18H

New York City, New York 10021

Telephone
212-439-0

Fax
212-439-069

I live on East 76th Street by the East River in New York City - We have had increased noise from planes and low flying planes and helicopters - now we are having low flying planes "buzzing" by our building.

Today: and a few days ago as well (perhaps more often - I am not home 100% of the day) planes fly below the level of my apartment on the 18th floor and on down the river and under the 59th Street bridge without a question this is dangerous to health and safety.

We look to the FAA for relief of this problem
The situation has been going on for too long
and has increased in noise and danger

EP

OCT-11-2000 15:14

NYS ASSEMBLY

P.01



**ASSEMBLY MEMBER RICHARD N. GOTTFRIED
NEW YORK STATE ASSEMBLY
FAX COVER SHEET**

Fax to Machine at:

(202) 267-5594

For: Sandy Lin

From: (212) 807-7900

☒ Mike Rabinowitz

☐ Maria Guzman

☐ Mark Vogel

Fax #: (212) 243-2035

Remarks:

Date Sent: 10/11 Number of pages to follow (excluding cover sheet): 2



RICHARD N. GOTTFRIED
64th Assembly District

Room 822
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242 West 27th Street
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(212) 807-7900

**THE ASSEMBLY
STATE OF NEW YORK
ALBANY**

CHAIRMAN
Committee on Health

COMMITTEES
Rules
Higher Education
Insurance
Social Services
Majority Steering Committee

**Statement by Assembly Member Richard N. Gottfried
to the Federal Aviation Administration
"Study of Nonmilitary Helicopter Noise in Densely Populated Areas"
Docket 30086
October 12, 2000**

My name is Richard N. Gottfried. I am the Chair of the New York State Assembly Health Committee and I represent the 64th Assembly District in Manhattan. This district includes the neighborhoods of Chelsea, Clinton, Midtown, part of the Upper West Side, and Murray Hill and is adjacent to two heliports. I appreciate the opportunity to submit testimony. Unfortunately, I will not be able to attend the public hearing on Friday, October 20, 2000 in Washington, DC.

Aircraft noise has been shown to cause stress and other negative health effects, and it is important to understand helicopter traffic in this context. I wish the FAA had extended the scope of the study to examine, quantitatively and qualitatively, the effect of helicopter noise on interior and exterior environments.

Noise from nonmilitary helicopters is a large problem in my district. Many sightseeing flights fly over my district, as it contains many tourist sights. In addition, Electronic News Gathering (ENG) helicopters are a serious problem. ENG helicopters will hover for hours, during rush hour - for traffic patterns - and during the day when reporting a story. Oftentimes they will fly over an area for long periods simply to get one shot for a news broadcast.

Many of these uses are simply not necessary. Flying around Manhattan in a helicopter might be entertaining, but it is of no importance to the functioning of the city or its economy. There are plenty of other ways to see the city. And while traffic reporting is important, it is possible to get the same information from stationary cameras. The helicopter contributes nothing but a sense of drama.

Especially in urban areas, the environmental harms of helicopter traffic are so substantial that it should only be allowed for uses that have some important economic or social value.

Due to the protests of many community members, helicopter routes throughout New York City have been changed. Tour operators, for example, have agreed to only fly over the

Hudson River. But these route changes are voluntary, are sometimes not adhered to, and can be changed (or even discarded) at any time. In addition, changing the routes often only changes the neighborhood that is affected; it does not solve the underlying problem.

Changes to Federal regulations, however, could help solve the underlying problem. I realize that having air traffic control monitor helicopters is almost impossible, especially given the problems we are having with airplane delays. But changes could be implemented to allow municipalities to have some control over their airspace.

As it stands now, New York City can ban certain types of helicopter flights from city-owned heliports, with some restrictions because one heliport was built with Federal money. Unfortunately, this does not solve the problem. Not only can't the city ban certain types of uses in the Downtown Manhattan Heliport, but many helicopters fly out of heliports in New Jersey. The only way to effectively limit these flights would be through control of the airspace, rather than just local control of the heliports.

There are other, less far-reaching regulatory changes that would help lessen the problem. The FAA could set minimum altitudes, helicopter flight paths, and noise abatement procedures for takeoffs, flyovers and landings. Of course, these regulations would have to be effectively enforced. In addition, it would be useful if helicopters were required to bear identification marks that are readable from the ground, so that members of the public can easily identify problem helicopters.

I am pleased that this study is being undertaken and thank you for the opportunity to make these comments.

Weehawken Environment Committee
Post Office Box 3027
Weehawken, New Jersey 07087
WeeEnvCom@aol.com

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October 11, 2000

Federal Aviation Administration
Office of Chief Counsel
Attention: Rules Docket
800 Independence Avenue, SW
Room 915-H
Washington, DC 20591

To Whom It May Concern:

**RE: Docket No. 30086 - Effects of Nonmilitary Helicopter Noise
on Individuals in Densely Populated Areas**

I am writing on behalf of the Weehawken Environment Committee, a civic organization comprising hundreds of members devoted to improving the quality of life in the township of Weehawken, New Jersey. I will first give a general overview of our problems with helicopter noise and then try to address specific points of the above-referenced study:

Weehawken is one of several communities located directly across the Hudson River from midtown Manhattan. We and our neighbors have a magnificent view of Manhattan and we are known for having a lovely promenade from which hundreds of thousands from all over the world enjoy this view. Weehawken has always been a relatively quiet community, an oasis in the shadow of the world's greatest metropolis. Unfortunately, the serene character of the town has been altered since helicopter sightseeing operations began on the Hudson River. These helicopters go up and down the river all day long, spoiling many people's experience of the Hudson. On a pleasant weekend day there is not a moment when one does not see or hear these helicopters crisscrossing this majestic river.

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Aside from the problem of sightseeing helicopters, we also must contend with commercial and corporate helicopters which fly at very low levels, sometimes only hundreds of feet, above our homes. Helicopters flying between Manhattan and Teterboro airport in New Jersey often use our airspace for their flights. On any given weekday morning starting from about 6 AM, there is the annoying slap and buzz of helicopter rotors in our sky. They often cause our homes, many of which date from the beginning of this century, to shake and vibrate.

And then there are the news helicopters which often hover over our community. Weehawken is unfortunately the host to the Lincoln Tunnel, one of the main traffic arteries into New York City. Therefore it is a favorite place for news copters doing traffic reports to hover. It is not at all uncommon for a helicopter to hover in place for 15 minutes at a time and even longer.

Please note that the sightseeing operations in particular is a problem which affects millions of people on both sides of the Hudson river, including Manhattan's Westsiders as well as residents on the New Jersey shore in Bayonne, Jersey City, Hoboken, Weehawken, West New York, Guttenberg, and North Bergen.

Additionally, as you may know, plans are proceeding for a huge waterfront park on the Westside of Manhattan. But consider also that almost all of the New Jersey Waterfront towns mentioned above are experiencing development of their respective waterfronts, either now (West New York, Jersey City, and Hoboken) or within the year (Weehawken). Each of these developments will also have parks and large areas of open space. Soon there will be millions of people on both sides of the Hudson, using parks for recreational and relaxative pursuits. -The area will likely rival or surpass Central Park in terms of recreational usage. Can one imagine helicopters flying non-stop over Central Park? Certainly not! But this is precisely the scenario that is playing out along the Hudson.

Now I will address your request for information point by point:

1. What are the types of helicopter operations that elicit negative response by individuals in densely populated areas?

As already stated, sightseeing helicopters, commercial/corporate and ENG helicopters. Law Enforcement and EMS copters do not often offend and we certainly understand the necessity of utilizing these emergency copters when necessary.

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2. What air traffic control procedures are applicable in addressing helicopter noise reduction?

We support the total ban of all non-emergency helicopters from our skies in the NYC Metropolitan area. However, short of that, we would encourage the following:

- Requiring the copters to fly at higher altitudes
- Routing away from densely populated residential areas
- Closing heliports near densely populated residential areas
- Hovering limits
- Curfews on helicopter traffic hours with adequate and realistic enforcement

3. What impacts could restrictive air traffic control procedures have on operations of:

Law Enforcement

We do not advocate restrictions on Law Enforcement. This is a necessary use of our airspace.

ENG Helicopters

This type of helicopter traffic is not essential. It seems to be in vogue nowadays for each television and radio station to have their own helicopter. They are nothing more than corporate status symbols. We believe that the stations should become good corporate citizens instead of annoying the residents which they aim to serve. These stations should pool their resources and helicopters, thereby reducing the air traffic and the noise and air pollution which they create. This could very easily be done and would better serve the communities in which they operate.

Sightseeing Tour Helicopters

Statistics show that sightseeing helicopters operating along the Hudson are utilized overwhelmingly by foreign tourists; these visitors come and go and don't really care about the effects of their touristic activities on the resident population of either New York or New Jersey. We believe that they should utilize the abundant sightseeing resources on the ground to satisfy their needs.

It is our view that sightseeing helicopters should be banned from the New York Metropolitan area skies. To that end, we ask the FAA to recognize the wisdom in the decision taken by the governments of New York City and State to end sightseeing operations from the mid-Westside

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heliport. We would encourage the FAA to release the Port Authority from the federal grant assurance requirements in order to put an end to sightseeing operations from that site as well. Otherwise the citizens of New York and New Jersey will be subjected to the detrimental effects of sightseeing helicopters, possibly for another seven years.

EMS Helicopters

We do not advocate restrictions on EMS Helicopters. This is a necessary use of our airspace.

Corporate executive helicopters.

It is our view that the captains of industry who rely on helicopters as if they were taxis should consider more down to earth and relaxing means to get to their destinations. The FAA should not be swayed by arguments of economic harm to companies which are restricted in their use of helicopters. With our current overheated economy, these helicopters are trappings of success which are much more than necessary. In the long run, restrictions on their use will most likely save companies a great deal of money. Besides, good corporate citizens should be concerned when their actions are detrimental to the population among whom they operate.

4. What are the recommended solutions for reduction of the effects of nonmilitary helicopter noise?

If the noise produced by the helicopters is not reduced, the effects of that noise on individuals can not be reduced. Perhaps the question should be rephrased simply to ask what are the recommended solutions to reduce nonmilitary helicopter noise. Eliminating most of the flights from densely populated areas would be the obvious answer. Secondly, we would advocate the implementation of requirements for Stage 3 quieter helicopters.

However, the original question is important in that it does raise the question of effects on individuals. This is one of the main points that the Congress was trying to address when it mandated this study by the FAA. We would encourage the FAA to actively produce a study of helicopter noise. Since the FAA is centering on the densely populated New York Metropolitan area, it should seek to produce a comprehensive survey of those living in the affected communities. The study should take advantage of input from noise experts in the medical and scientific communities to insure accuracy and integrity.

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Finally, I would like to address the noise measurement studies which the FAA has undertaken. As I understand it, one of sites was Liberty State Park in New Jersey. I would also recommend that studies be done from some of the very densely populated areas here in New Jersey on the west bank of the Hudson River. The study would then more accurately reflect the impact to a much larger population sample. And with respect to the measurement of helicopter noise, any study must take into consideration the low frequency helicopter noise which can be very disturbing, even insidious to many as well as discrete, single events which are associated with helicopter noise.

Thank you very much for your kind attention to our concerns. We look forward to the results of this very important and necessary study.

Sincerely,

Bruce Sherman

President

Weehawken Environment Committee.

PS: Since the New York City area figures prominently in this study, we would encourage the FAA to schedule a workshop meeting in this area in order to get further input from citizens. Many do not have the time nor the financial resources to make the trip to Washington, DC.